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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	<b>Application Number</b>	09792909-0307
	<b>Filing Date</b>	April 7, 2000
	<b>First Named Inventor</b>	Tomoyuki Hirano, et al.
	<b>Group Art Unit</b>	1763
	<b>Examiner Name</b>	George A. Goudreau
<b>Total Number of Pages in This Submission</b>	<b>Attorney Docket Number</b>	09792909-0307

## ENCLOSURES (check all that apply)

- ☒ Transmitted herewith is a Response to September 6, 2002 Restriction Requirement.
- ☒ The fee has been calculated as shown below:

(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3)	(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	3	-	20	0	<input type="checkbox"/> x \$9.00 <input checked="" type="checkbox"/> x \$18.00	\$0.00
INDEPENDENT CLAIMS	2	-	3	0	<input type="checkbox"/> x \$42.00 <input checked="" type="checkbox"/> x \$84.00	\$0.00
	APPLICATION AMENDED TO CONTAIN ANY MULTIPLE DEPENDENT CLAIMS NOT PREVIOUSLY PAID FOR.			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> x \$140.00 <input checked="" type="checkbox"/> x \$280.00 ONE TIME	\$0.00
	TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☐ Applicant petitions the Commissioner for Patents to extend the time for responding to the Office Action dated \_\_\_\_\_ by one month(s) for a fee of \$ \_\_\_\_\_ so that the period for response is extended to \_\_\_\_\_ under 37 C.F.R. § 1.321.
- ☐ The amount of \$ \_\_\_\_\_ for the Terminal Disclaimer under 37 C.F.R. § 1.321 is included in the enclosed check.
- ☐ The amount of \$ \_\_\_\_\_ for the Amendment under 37 C.F.R. § 1.312(b) is included in the enclosed check.
- ☐ The enclosed check in the amount of \$ \_\_\_\_\_ covers the total claim fee and other applicable fees.
- ☒ The Commissioner is hereby authorized to charge the extension fee and any additional fees which may be required, or to credit any overpayment to Account No. 19-3140. **A duplicate of this sheet is enclosed.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

14. ☒ Customer No. 26263

Dated: October 2, 2002

  
David R. Metzger, (Registration No. 32,919)

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: BOX NON-FEE AMENDMENT, Commissioner for Patents, Washington D.C. 20231 on the date indicated below.

Dated: October 2, 2002

  
Antonietta Musto



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PATENT

Attorney Docket No. 09792909-0307 (formerly P00,0253)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Tomoyuki Hirano et al.

Application No. 09/545,549

Filed: April 7, 2000

For: METHOD FOR FORMING CAPACITOR

BOX NON-FEE AMENDMENT

Commissioner for Patents

Washington, D.C. 20231

) Group Art Unit 1763

) Examiner: Goudreau, George A.

I hereby certify that this document is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX NON-FEE AMENDMENT, Commissioner for Patents, Washington, D.C. 20231 on October 2, 2002.

*Antonietta Musto*  
Antonietta Musto

#8  
10/10/02

**RESPONSE TO SEPTEMBER 6, 2002 RESTRICTION REQUIREMENT**

Dear Sir:

This Amendment is filed in response to the Office Action of September 6, 2002. Please reconsider the application in view of the amendment and remarks presented below.

**ELECTION OF CLAIMS**

In the Office Action, the examiner requested an election of claims pursuant to a restriction requirement under 35 U.S.C. §121 between Group I claims 1, 2 and 4 drawn to a wet etch used as the 4 Th etching step, and Group II claims 1 and 3, drawn to a dry etch used as the 4 Th etching step. In response, applicant hereby elects examination of Group 1, claims 1, 2 and 4.

Respectfully submitted,

Dated: October 2, 2002

By: *David R. Metzger*

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